

### REMARKS

This responds to the Office Communication dated on 10/15/2010. Claims 1-22 are presently pending. Claims 1, 9, 15 and 21 are independent claims. Claims 15 and 20 are independent claims. Applicant submits that all of the claim recitations of the pending claims have not been addressed in the Office Communication dated 10/15/2010. The finality of the rejection and improper and must be withdrawn.

#### *Claim Objections*

Claims 15 and 20 were objected to for reciting minor antecedent basis informalities. Applicant has amended these claims to overcome the objections. Withdrawal of the objection is kindly requested.

#### *Claim Rejections – 35 USC § 102*

The Examiner stated that Claims 1-22 were rejected under 35 U.S.C. §102(b) as being anticipated over Rabipour (U.S. 2004/0004957). Applicant submits that this rejection is improper and must be withdrawn.

Claim 1 recites, in part, “establishing a TFO call leg between the first and second network elements and establishing a non-TFO call leg between the second and third network elements after sending the substitute TFO acknowledgement message from the second network element.” Similar features are recited in independent claims 9, 15 and 21. Each of the independent claims requires three network elements, one of which establishes a TFO call leg between itself and one of the other network elements, and, another which establishes a non-TFO call leg between itself and the other of the network elements.

In rejecting claim 1, the Examiner relied on the teachings of paragraph [0022] of Rabipour. Applicant submits that paragraph [0022] of Rabipour is a mere summary of an independent claim, such as, claim 25 of Rabipour. As may be observed from claim 25 or paragraph [0022] Of Rabipour, there is no disclosure of any TFO specific connections. Therefore, paragraph [0022] cannot possibly disclose or suggest “establishing a TFO call leg

between the first and second network elements and establishing a non-TFO call leg between the second and third network elements after sending the substitute TFO acknowledgement message from the second network element”, as recited in claim 1.

Paragraph [0022] of Rabipour discloses a gateway with an interface for allowing an end-to-end connection between a first remote entity and a second remote entity. Paragraph [0022] does not disclose that the end-to-end connection includes a non-TFO call leg and a TFO call leg. Paragraph [0024] of Rabipour does disclose that a TFO connection may be established as an “end-to-end TFO connection between the first and second remote entities.” At best, it could be assumed that all end-to-end connections disclosed in Rabipour are indeed TFO connections. Therefore, there is no disclosure of establishing one non-TFO connection and one TFO-connection in the manner prescribed by each of the pending claims. All of the claim recitations of each of claims 1, 9, 15 and 21 have not been addressed by Rabipour. The rejection is improper and must be withdrawn.

For the reasons explained above, Applicant respectfully submits that Rabipour fails to address the claimed invention of independent claims 1, 9, 15 and 21. Claims 2-8, 10-14, 16-20, and 22 are dependent on independent claims 1, 9, 15 and 21 respectively and incorporate all their limitations. For the reasons set forth above, Applicant believes that claims 1, 9, 15 and 21 are in condition for allowance and respectfully requests they and all claims depending there from be passed to allowance.

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at any time.

	Respectfully submitted,
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